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09/804,624	03/12/2001	Glen McLean Harris	HARR-004	3168

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EXAMINER	
AU, SCOTT D	

ART UNIT	PAPER NUMBER
2612	

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/804,624	HARRIS ET AL.	
	Examiner	Art Unit	
	Scott Au	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 April 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *7,9-11 and 13-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *7,9-11 and 13-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 June 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This communication is in response to applicant's response to RCE, which is filed April 7 2006.

A RCE to the claims 7,9-11,13-37 have been entered and made of record in the Application of Harris et al. for a "Remote control multimedia content listing system" filed August 31, 2001.

Claims 7,9-11,13-37 are pending.

Claims 1-6,8 and 12 are cancelled.

Response to Arguments

Applicant's arguments with respect to claims 7,9-11,13-33 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendments and argument to the rejected claims are insufficient to distinguish the claimed invention from the cited prior arts to overcome the rejection of said claims under 35 U.S.C 102(a) as discussed below. Applicant's amendment and argument with respected to the pending claims 34-37, have been fully considered but they are not persuasive for at least the following reasons.

According to amended claim 34, the limitation "received from the network to generate and display a media, is not persuasive.

Van Ryzin et al. teach remote control unit 20 communicates with the internet 46 to receive media data and display the data on the screen of the remote control unit 20 (col. 4 lines 40-50 and col. 5 lines 25-40; see Figure 3).

Claim Rejections - 35 USC § 102

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 34-35 and 37 are rejected under 35 U.S.C. 102(e) as being anticipated by Van Ryzin et al. (US# 6,255,961).

Referring to claim 34, Ryzin et al. disclose a method of programming a remote control, wherein said remote control is capable of controlling at least one electronic device (col. 1 lines 40-48), said method comprising:

inputting at least one media data into the remote control, which is web enabled (i.e. remote control 20 communicates with the internet through interface 44) (col. 5 lines 25-39);

transferring the media data from the remote control (20) (i.e. remote control 20 communicates with the internet through interface 44) to a network operatively

coupled to a control station (col. 5 lines 25-39);

transferring the media data from the network to the control station (col. 5 lines 40-60);

it is inherent the control station generating configuration data for the media data for use by the remote control (col. 5 line 61 to col. 6 line 9);

the control station transferring the configuration data to the network (col. 5 lines 29-31; see Figure 3); and

the network transferring the configuration data to the remote control (col. 5 lines 45-50); the remote control using the configuration data received from the network to generate and display a media guide (col. 4 lines 18-50 and col. 5 lines 25-40).

Referring to claim 35, Ryzin et al. disclose the method of claim 34, further comprising:

wherein the configuration data determines at set of control signals that are transmitted by the remote control to at least one electronic device based upon a media selection for activating the media selection (col. 3 lines 34-44; see Figure 2);

selecting on the remote control a media program associated with the media selection, wherein the media program is to be played by at least one electronic device (col. 6 lines 20-30); and

transmitting a control signal from the remote control to the electronic device to play the media program (col. 5 lines 55-60).

Referring to claim 37, RyZin et al. disclose the method of claim 34, wherein the network includes the Internet (col. 5 lines 30-50).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 7,9-10,11 and 13-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Ryzin et al. (US# 6,255,961) in view of Guo et al. (US# 6,173,330) and further in view of Allport (US# 6,104,334).

Referring to claim 7, Van Ryzin et al. disclose a method of using a remote control multimedia content listing system, said method comprising the steps of:

entering a media record into said electronic system of a remote control device (i.e. the electronic system includes remote device 20 upload and download entertainment data from the PC 44 and then the data is transferred to the A/V device 1 – N for entertainment; see Figure 3), wherein said electronic system (i.e. see Figure 3) of said remote control device is web enabled (i.e. remote control 20 communicates with the internet through interface 44) and is capable of controlling one or more electronic devices (i.e. Device 1 to Device N) (col. 3 lines 60-67 and col. 4 lines 19-25);

storing said media record within said electronic system of said remote control device (col. 4 lines 25-39);

uploading said media record from the electronic system of said remote control device via a wireless network connection a network; transferring said media record from the network to a wireless network-control station (col. 5 lines 25-40);

determining in said network-control station an identity of media that corresponds with each said media record (col. 5 lines 25-40); and

generating in said network-control station a configuration data for said electronic system of said remote control device that allows said electronic system of said remote control device to display a media guide, and wherein said configuration data determines a set of control signals that are configured to be transmitted by said electronic system of said remote control device to at least one electronic device based upon a media selection for activating said media selection; it obvious that data is transferring from said network-control station to said network and network transferring the data to the electronic system of said remote control device (col. 4 lines 18-39 and col. 5 lines 30-67);

repeating the entering and the storing steps for additional media records (i.e. see Figure 6, Van Ryzin et al. disclose one or more artists can be selected between Mariah Carey and Chet Atkins. This indicates that the A/V system is capable of storing multiple media records.).

However, Van Ryzin et al. did not explicitly disclose automatically updating said configuration data if new configuration data is available; and automatically transferring said updated-configuration data to said electronic system of said remote control device if said electronic system is operatively coupled to said control station; generating in the

remote control an updated media guide based on the configuration data generated in the network-control station and received form the network; and displaying on a display of the remote control the updated media guide for user selection of a piece of media for play by one or more of the electronic devices.

In the same field of endeavor of delivery entertainment data segment of Guo et al. disclose prior art that automatically transferring and updating data stream (col. 1 lines 48-67) and display the current entertainment information.

One skilled in the art recognizes that automatically transferring and updating data segment of Guo et al. is desirable in the entertainment system of Van Ryzin et al. because Van Ryzin et al. disclose the remote control unit 20 communicate with PC 44 in a two-way fashion is that the PC is a very useful tool for controlling and programming the remote control unit 20. A further important benefit of having two-way communications between the remote control unit and the PC is that access to the Internet 46 (world wide web), and thus the wealth of information available on the Internet, is provided. Information on the Internet that may be of interest to a user of an A/V system includes TV listings with VCR+ codes and information about music CDs in the form of the CD TOC, a database containing such information as the number of tracks and length of each track on the CD. PC software would allow such databases to be browsed and pertinent information to be communicated from the PC to the remote control unit (col. 5 lines 26-39) and Guo et al. disclose the prior art that automatically transferring and updating the data stream in the receiver system (col. 1 lines 48-67). Therefore, it would have been obvious to a person of ordinary skill in the art at the time

of the invention was made to include automatically transferring and updating data segment of Guo et al. in the entertainment system of Van Ryzin et al. with the motivation for doing so would allow the convenience of the user from manually transferring and updating the music entertainment data segment.

However, Van Ryzin et al. in view of Guo et al. did not explicitly disclose generating in the remote control an updated media guide based on the configuration data generated in the network-control station and received form the network; and displaying on a display of the remote control the updated media guide for user selection of a piece of media for play by one or more of the electronic devices.

In the same field of endeavor of remote control system, Allport teaches disclose generating in the remote control an updated media guide based on the configuration data generated in the network-control station and received form the network; and displaying on a display of the remote control the updated media guide for user selection of a piece of media for play by one or more of the electronic devices (col. 3 lines 22-38, col. 4 line 53 to col. 5 line 2, col. 5 line 50 to col. 6 line 21, col. 9 line 58 to col. 10 line 17 and col. 29 lines 30-65).

One skilled in the art recognizes that the guide received from the network is to be displayed on the remote control of Allport is desirable in the in the entertainment system of Van Ryzin et al. in view of Guo et al. because Van Ryzin et al. teach the received guide is displayed on the PC (col. 4 lines 40-50) and Allport teach the received guide from the web can be displayed on the electronic appliances and the portable remote

device 10 in order to have the alternative of displaying on the electronic appliances such PC and TV or on the display of the portable remote device 10 (col. 29 lines 30-64).

Referring to claim 11, Van Ryzin et al. disclose a method of using a remote control multimedia content listing system, said method comprising the steps of:

accessing a web page of a control station (col. 5 lines 25-40);

inputting media data into said web page (col. 5 lines 25-40); and

generation a configuration data for said electronic media data for an electronic system of a remote control device that allows said electronic system (i.e. the electronic system includes remote device 20 upload and download entertainment data from the PC 44 and then the data is transferred to the A/V device 1 – N for entertainment display; see Figure 3) to display a media guide, for said media data, wherein said electronic system (col. 4 lines 18-39) of said remote control device is configured to control one or more electronic devices (i.e. A/V device 1-N); it is obvious that transferring configuration data from said control station through a network and a wireless network link to said electronic system (i.e. see Figure 3) of said remote control device; said configuration data determining a set of control signals that are transmitted by said electronic system (i.e. see Figure 3) of said remote control device to at least one electronic device based upon a media selection for activating said media selection (col. 5 line 30 to col. 6 line 29).

However, Van Ryzin et al. did not explicitly disclose automatically updating said configuration data if new configuration data is available; and automatically transferring

said updated-configuration data to said electronic system of said remote control device if said electronic system is operatively coupled to said control station; generating in the remote control an updated media guide based on the configuration data generated in the network-control station and received form the network; and displaying on a display of the remote control the updated media guide for user selection of a piece of media for play by one or more of the electronic devices.

In the same field of endeavor of delivery entertainment data segment of Guo et al. disclose prior art that automatically transferring and updating data stream (col. 1 lines 48-67) and display the current entertainment information.

In the same field of endeavor of remote control system, Allport teaches disclose generating in the remote control an updated media guide based on the configuration data generated in the network-control station and received form the network; and displaying on a display of the remote control the updated media guide for user selection of a piece of media for play by one or more of the electronic devices (col. 3 lines 22-38, col. 4 line 53 to col. 5 line 2, col. 5 line 50 to col. 6 line 21, col. 9 line 58 to col. 10 line 17 and col. 29 lines 30-65).

Therefore, the obvious and motivation combining of Guo et al. into Van Ryzin et al. and Allport is similar as stated in claim 7 above.

Referring to claim 20, Van Ryzin et al. disclose a method of programming a remote control, wherein said remote control is capable of controlling at least one electronic device (col. 1 lines 40-48), said method comprising:

accessing a control station (col. 5 lines 25-40);

inputting at least one media data into said control station (col. 5 lines 25-40);

generating a configuration data by said control station for said remote control that allows said remote control to display a media guide (col. 4 lines 18-39), and wherein said configuration data determines control signals that are transmitted by said remote control to at least one electronic device (i.e. A/V device 1-N) based upon a media selection for activating said media selection (col. 5 lines 30-67);

it obvious that transferring the configuration data from said control station through a network and a wireless network link to said remote control (col. 5 lines 53-56) of the user;

selecting a media event to be accessed upon at least one electronic device (col. 5 lines 57-60);

transmitting a control signal from said remote control to at least one electronic device to play said media event based upon said configuration data (col. 5 lines 57-60).

However, Van Ryzin et al. did not explicitly disclose automatically updating said configuration data if new configuration data is available; and automatically transferring said updated-configuration data to said remote control if said remote control is operatively coupled to said control station; generating in the remote control an updated media guide based on the configuration data generated in the network-control station and received form the network; and displaying on a display of the remote control the updated media guide for user selection of a piece of media for play by one or more of the electronic devices.

In the same field of endeavor of delivery entertainment data segment of Guo et al. disclose prior art that automatically transferring and updating data stream (col. 1 lines 48-67) and display the current entertainment information.

One skilled in the art recognizes that automatically transferring and updating data segment of Guo et al. is desirable in the entertainment system of Van Ryzin et al. because Van Ryzin et al. disclose the remote control unit 20 communicate with PC 44 in a two-way fashion is that the PC is a very useful tool for controlling and programming the remote control unit 20. A further important benefit of having two-way communications between the remote control unit and the PC is that access to the Internet 46 (world wide web), and thus the wealth of information available on the Internet, is provided. Information on the Internet that may be of interest to a user of an A/V system includes TV listings with VCR+ codes and information about music CDs in the form of the CD TOC, a database containing such information as the number of tracks and length of each track on the CD. PC software would allow such databases to be browsed and pertinent information to be communicated from the PC to the remote control unit (col. 5 lines 26-39) and Guo et al. disclose the prior art that automatically transferring and updating the data stream in the receiver system (col. 1 lines 48-67). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include automatically transferring and updating data segment of Guo et al. in the entertainment system of Van Ryzin et al. with the motivation for doing so would allow the convenience of the user from manually transferring and updating the music entertainment data segment.

In the same field of endeavor of remote control system, Allport teaches disclose generating in the remote control an updated media guide based on the configuration data generated in the network-control station and received form the network; and displaying on a display of the remote control the updated media guide for user selection of a piece of media for play by one or more of the electronic devices (col. 3 lines 22-38, col. 4 line 53 to col. 5 line 2, col. 5 line 50 to col. 6 line 21, col. 9 line 58 to col. 10 line 17 and col. 29 lines 30-65).

Therefore, the obvious and motivation combining of Guo et al. into Van Ryzin et al. and Allport is similar as stated in claim 7 above.

Referring to claim 9, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of using a remote control multimedia content listing system of claim 7, Van Ryzin et al. disclose storing said configuration data within said electronic system of said remote control device (col. 4 lines 18-39 and col. 5 lines 53-56).

Referring to claim 10, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of using a remote control multimedia content listing system of claim 9, Van Ryzin et al. disclose displaying said media guide upon said display of said remote control device (col. 4 lines 18-39 and col. 5 lines 40-67), see Figure 5-7).

Referring to claim 13, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of using a remote control multimedia content listing system of claim 11,Van Ryzin et al. disclose storing said configuration data within said electronic system of said remote control device (col. 5 lines 53-56).

Referring to claim 14, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of using a remote control multimedia content listing system of claim 14, Van Ryzin et al. disclose displaying said media guide upon said display within said remote control (col. 4 lines 18-39, col. 5 lines 60-67 and col. 7 lines 17-20;see Figures 5-7).

Referring to claims 15 and 23, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of using a remote control multimedia content listing system of claims 11 and 20, Van Ryzin et al. disclose wherein said media guide includes a television guide (col. 5 lines 25-40).

Referring to claims 16 and 24, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of using a remote control multimedia content listing system of claims 11 and 20, Van Ryzin et al. disclose wherein said media guide includes a music guide (col. 6 lines10-30).

Referring to claims 17 and 25, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of using a remote control multimedia content listing system of

claims 16 and 24, Van Ryzin et al. disclose wherein said music guide is comprised of information relating to music media contained within a user's home stereo system (col. 6 lines10-30).

Referring to claim 18, Van Ryzin et al. in view Guo et al. and Allport disclose the method of using a remote control multimedia content listing system of claim 16, Van Ryzin et al. disclose wherein said music guide is comprised of information relating to compact discs contain within a user's home stereo system (col. 6 lines10-30).

Referring to claim 19, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of using a remote control multimedia content listing system of claim 18, Van Ryzin et al. disclose including the steps of:

selecting a media event to be displayed or listened to by said user (col. 6 lines 10-30).

transmitting a control signal to an electronic device to play said media event (col. 5 lines 55-67).

Referring to claim 21, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of using a remote control multimedia content listing system of claim 20, Van Ryzin et al. disclose including the step of:

storing said configuration data within said electronic system (col. 5 lines 53-56).

Referring to claim 22, Van Ryzin et al. in view of Guo et al. and Allport disclose the methodof using a remote control multimedia content listing system of claims 13 and 20, Van Ryzin et al. disclose including the step of:

displaying said media guide upon said display within said remote control (col. 4 lines 18-39, col. 5 lines 60-67 and col. 7 lines 17-20;see Figures 5-7).

Referring to claim 26, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of claim 7, Van Ryzin et al. disclose further comprising the electronic system of the remote control device issuing a warning for an upcoming media presentation associated with the media record (col. 4 lines 31-40) order for the user to identify on the display of the next ready string.

Referring to claim 27, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of claim 26, Van Ryzin et al. disclose wherein the media presentation is a television program (col. 5 lines 30-39).

Referring to claim 28, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of claim 27, Van Ryzin et al. disclose wherein the step of entering a media record into the electronic system of the remote control device includes a user entering the media record into the electronic system of the remote control device using at least one of a keypad or keyboard in order to carryout the desire functions (col. 5 lines 5-67).

Referring to claim 29, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of claim 7. The limitation of claim 29 is conventional wherein the mouse, the trackball, the keyboard, and jog switch are configured to control a pointer displayed on a screen on the electronic device.

Referring to claim 30, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of claim 7, wherein the electronic system of the remote control device is web enabled, and wherein the step of uploading includes uploading the media record from the electronic system of the remote control device to a network operatively coupled to the control station (col. 5 lines 25-40).

Referring to claim 31, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of claim 30, wherein the electronic system of the remote control device is a remote control (20) (i.e. remote control unit) (col. 5 lines 25-40).

Referring to claim 32, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of claim 11, further comprising the electronic system of the remote control device issuing a warning for an upcoming presentation of a media presentation associated with the media record (col. 5 lines 30-39).

Referring to claim 33, Van Ryzin et al. in view of Guo et al. and Allport disclose the method of claim 32, wherein the media presentation is a television program (col. 5 lines 30-39).

Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Ryzin et al. (US# 6,255,961) as applied to claim 34 above, and further in view of Guo et al. (US# 6,173,330).

Referring to claim 36, Van Ryzin et al. disclose the method of claim 34. However, Van Ryzin et al. did not explicitly disclose automatically updating said configuration data if new configuration data is available; and transferring the updated-configuration data to remote control if the electronic system is operatively coupled to the network.

In the same field of endeavor of delivery entertainment data segment of Guo et al. disclose prior art that automatically transferring and updating data stream (col. 1 lines 48-67) and display the current entertainment information.

Therefore, the obvious and motivation combining of Guo et al. into Van Ryzin et al. is similar as stated in claim 7 above.

Conclusion

Any inquiry concerning this communication or earlier communications form the examiner should be directed to Scott Au whose telephone number is (571) 272-3063. The examiner can normally be reached on Mon-Fri, 8:30AM – 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached at (571) 272-2981. The fax phone numbers for the organization where this application or proceeding is assigned are (571)-272-1817.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-3050.

Scott Au

5/1/06

JEFFERY HOFSASS
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